

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

ERIK HOLMAN,

Defendant(s).

2:11-CR-457 JCM (CWH)

ORDER

Presently before the court is defendant Erik Holman's motion for attorney-conducted voir dire. (Doc. # 88).

With this motion, defendant requests that the court exercise its discretion to permit thirty minutes of attorney conducted voir dire. Federal Rule of Criminal Procedure 24(a) provides, "The court may examine prospective jurors or may permit the attorneys for the parties to do so." Specifically, defendant's counsel believes that "attorney conducted voir dire is necessary to encourage jurors to tell the [c]ourt what they truly think about issues that will arise in this case and explore any latent biases or prejudices they may present." (Doc. # 88 p. 2). Defendant's counsel is concerned about potential bias against gay men, as defendant was involved in a homosexual relationship at the time of the alleged criminal activity in this case. *Id.*

However, defendant's sexual orientation is not relevant to the issues involved in this case. Therefore, defendant has not convinced the court that its normal procedures for conducting voir dire will be insufficient or unfair. As such, the motion will be denied.

1 Accordingly,

2 IT IS HEREBY, ORDERED, AND DECREED that defendant's motion for attorney-
3 conducted voir dire (doc. # 88) be, and at the same time hereby is, DENIED.

4 DATED February 28, 2014.

5
6 
7 UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28